

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMES SHERMAN,
Plaintiff,**

v.

**COMPOSITION SYSTEMS, INC.,
Defendant.**

CIVIL ACTION

NO. 12-4106

ORDER DENYING PARTIES' MOTIONS FOR PARTIAL SUMMARY JUDGMENT

AND NOW, this 13th day of August 2013, after review of Plaintiff's Motion for Partial Summary Judgment (ECF 21) and Defendant's Response thereto (ECF 24), Defendant's Cross-Motion for Summary Judgment (ECF 22), Plaintiff's Response thereto (ECF 25 & 27), and Defendant's Reply (ECF 26), and for the reasons set forth in the accompanying Memorandum of Law, it is hereby **ORDERED** that:

1. Plaintiff's Motion for Partial Summary Judgment (ECF 21) is DENIED; and
2. Defendant's Cross-Motion for Summary Judgment (ECF 22) is DENIED.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.